



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: | SINGH, et al. | Examiner: | Yao, K. |
| Serial No.: | 08/741,265 | Group Art Unit: | 2731 |
| Filed: | October 30, 1996 | Docket No.: | 8X8S.04US01 |
| Title: | INTERNET TELEPHONY ARRANGEMENT AND METHOD | | |

PATENT

TC 2700 MAIL ROOM

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DECLARATION UNDER 37 C.F.R. § 1.131

I, Bryan R. Martin, residing at 580 Sobrato Drive, Campbell, California, hereby do
declaim as follows:

1. Before September 4, 1996 (the filing date of U.S. Patent No. 5,761,280, "the '280 patent"), and continuously through the filing date of the instant application (October 30, 1996), I worked with inventors named in the '280 patent and the other inventors named in the instant applicant, and supervised engineering projects conducted by each of these named inventors and disclosed in the '280 patent.
2. The '280 patent and the instant application have and continue to be commonly-owned, by 8x8, Inc.
3. The invention claimed in claims 1-12 of the instant application pertained to the same engineering effort (from conception through construction reduction to practice) that lead to the disclosure of the '280 patent and at issue, as identified in paragraph 9 of the May 4, 1999 Office Action.
4. The reduction to practice of the engineering effort of the '280 patent and the instant application is evidenced constructively by the application for the '280 patent, which was

filed in September of 1996, and by the instant application, which was filed the following month.

5. The inventors of the invention claimed in claims 1-12 of the instant application are believed to be correct.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: August 4, 1999

Signature:


Bryan R. Martin